



RON S. CORZINE  
Governor

## New Jersey Office of the Attorney General

Division of Consumer Affairs  
State Board of Veterinary Medical Examiners  
124 Halsey Street, 6<sup>th</sup> Floor, Newark, NJ 07102



RECEIVED and FILED by the  
NEW JERSEY STATE BOARD  
OF VETERINARY MEDICAL EXAMINERS  
Date of: 3-30-09  
Anne M. Luchao  
Attorney General

DAVID SZUCHMAN  
Director

March 30, 2009

**Mailing Address:**  
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Newark, NJ 07101  
(973) 504-6500

### By Certified and Regular Mail

Peter Batts, M.A., Vet. M.B., M.R.C.V.S.  
Trenton Veterinary Hospital  
695 Pennington Avenue  
Trenton, New Jersey 08618

Re: **I/M/O PETER BATTS, M.A., Vet. M.B., M.R.C.V.S.**  
**Trenton Veterinary Hospital**  
**Complaint Number: 07-069**

### Offer of Settlement In Lieu of Disciplinary Proceeding

Dear Dr. Batts:

This letter is to advise you that the New Jersey State Board of Veterinary Medical Examiners (hereinafter referred to as the "Board") has had an opportunity to review a complaint it received concerning the professional services you rendered to "King Julian" Gonzalez, then a nine (9) month old ferret, at the Trenton Veterinary Hospital, in July and August 2006.

Specifically, the information reviewed by the Board included, but is not limited to, the following documents:

1. A complaint filed by Gloria Gonzalez with the Board on or about September 7, 2007, as well as any and all attachments and exhibits;
2. A correspondence, dated September 24, 2007, from Peter Batts, M.A., Vet. M.B., M.R.C.V.S., as well as any and all attachments and exhibits; and
3. Medical records of "King Julian" Gonzalez.

Upon review of all available information, the Board has found that probable cause exists to support a finding that you violated, as well as failed to comply with, the statutes governing the practice of veterinary medicine and the accompanying regulations, in violation of N.J.S.A. 45:1-21(h), in that you failed to maintain adequate medical records contrary to N.J.A.C. 13:44-4.9.

The Board's review into this matter revealed that King Julian was presented to you, by Ms. Gonzalez, on or about July 27, 2006, for vaccination. The ferret was vaccinated with canine and feline distemper vaccines. In your September 24, 2007 correspondence to the Board, you advised that this was usual protocol for Trenton Veterinary Hospital for ferret vaccination. You further indicated that you have been vaccinating ferrets utilizing this protocol since 1973 without incident. Ms. Gonzalez, in her complaint, maintains that King Julian has suffered adverse reactions from the vaccination, including coughing and sneezing.

The Board has concluded, following its review of the complaint and the other submitted documentation, that there is insufficient evidence to initiate any formal disciplinary action against you relative to the veterinary care rendered to King Julian. However, the Board, in its review of the matter, had the opportunity to review the patient records you submitted in this matter. The Board concluded, in its review of the patient records of King Julian, that your records failed to contain important and required information relative to the veterinary services provided to the ferret. Specifically, the Board finds that the records did not contain: 1) the name of the facility and identification of the treating licensee; 2) all pertinent symptoms and signs observed, including, but not limited to; notation of physical examination findings, weight, temperature etc.; and 3) the treatment or treatment plan prescribed. The Board has concluded that your failure to include the requisite information in your patient records constitutes a violation of N.J.A.C. 13:44-4.9.

At this juncture, the Board has determined that the above violation is sufficient to warrant the initiation of formal disciplinary proceedings against you. Notwithstanding that determination, however, the Board has determined that it will first offer you an opportunity to settle this matter, and thereby avoid the initiation of disciplinary proceedings, should you consent to:

1. Cease and desist from violating the mandates of N.J.S.A. 45:1-21(h), specifically N.J.A.C. 13:44-4.9, by maintaining records for your patients that accurately reflected the treatment or services you rendered;

2. Pay a penalty in the aggregate amount of **\$500.00**, to be paid immediately upon your signing of the acknowledgment at the bottom of this letter, for your violation of N.J.S.A. 45:1-21(h) and the record keeping regulation, N.J.A.C. 13:44-4.9(a).


If you are willing to settle this matter on the offered settlement terms, you may do so by signing the acknowledgment at the bottom of this letter, and returning it to the Board office. In such event, this letter will be a matter of public record.

In the event you are unwilling to settle this matter on the offered terms, it will be referred to the Attorney General's office for the initiation of appropriate disciplinary action. In such event, you will be afforded an opportunity to defend against the alleged violations. If an evidentiary hearing is deemed warranted, the Board will either conduct that hearing at a date and time to be scheduled or refer the matter to the Office of Administrative Law. You are advised, however, that in the event formal charges are filed, the Board may assess civil penalties in an amount greater than that herein offered in settlement should any charges against you be sustained. Additionally, the Board may, if the facts are found to so warrant, enter an order requiring you to reimburse certain monies and/or requiring you to pay costs incurred by the Board. Should you have any questions concerning this letter or the settlement offer herein, I suggest that you contact Deputy Attorney General Olga E. Bradford, who may be reached at (973) 648-3696.

If you elect to settle this matter presently, you should sign the acknowledgment at the bottom of this letter and return it to the Board within fifteen (15) days following your receipt of this letter. In the event that the Board receives no response from you within fifteen (15) days, the Board's settlement offer will be withdrawn, and the matter will be referred to the Attorney General's Office for the initiation of the appropriate disciplinary action.

NEW JERSEY STATE BOARD OF  
VETERINARY MEDICAL EXAMINERS

By:

  
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LESLIE G. ARONSON  
Executive Director

ACKNOWLEDGMENT: I, **PETER BATTS, M.A., Vet., M.B., M.R.C.V.S.**, hereby acknowledge that I have read and reviewed the settlement proposal set forth in the above letter. I acknowledge the conduct that has been charged. I am aware that, by signing this acknowledgment, I am waiving any rights I may have to defend myself against any charges of wrongdoing at an administrative hearing. I am also aware that the action taken against me by the Board herein is a matter of public record, and that this letter is a public document. I hereby agree to pay a penalty in the total amount of **\$500.00**. I also agree to adhere to the other provisions enumerated in this settlement letter.

  
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**PETER BATTS, M.A., Vet., M.B., M.R.C.V.S.**

3.17.09,

**DATED:**

cc: Deputy Attorney General Olga E. Bradford

